IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2966 OF 2004

Ramesh K. Thakkar ... Petitioner

versus

State of Maharashtra and ors. ... Respondents

...

Mr. E.B. Dixit with Mr. V.K. Dubey, for the Petitioner.

Mr. C.R. Sonawane, A.G.P., for the Respondents.

...

CORAM : A.M.KHANWILKAR,J.

3rd September 2004

P.C.:

. It is not in dispute that the Petitioner has not questioned the recovery certificate, which is impugned in this writ petition dated December 12, 2003, by filing revision application, which is statutory remedy available to the Petitioner. In this backdrop, I see no reason to exercise writ jurisdiction. The Petitioner may take recourse to remedy of revision application, if so advised.

. During the course of arguments, Counsel for the Petitioner submits that since the revision would have been time barred, the Petitioner has directly approached this Court. That argument cannot be countenanced. If the revision application was time barred, the Petitioner could have filed the same along with application for condonation of delay in filing the revision showing sufficient cause for the delay. Merely because there was delay in filing revision cannot be the basis for directly moving this Court in writ jurisdiction. Hence, dismissed, with liberty to the Petitioner to take recourse to remedy as may be available and permissible by law.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)